



SHA Feedback to the Workers' Compensation Act Committee of Review

Healthy People, Healthy Saskatchewan

The Saskatchewan Health Authority works in the spirit of truth and reconciliation,
acknowledging Saskatchewan as the traditional territory of First Nations and Métis People.



saskhealthauthority.ca

Truth and Reconciliation

We would like to acknowledge that we are gathering on Treaty 2, 4, 5, 6, 8, and 10 territory and the Homeland of the Métis. Recognizing this history is important to our future and our efforts to close the gap in health outcomes between Indigenous and non-Indigenous peoples. I pay my respects to the traditional caretakers of this land.

VISION

Healthy People, Healthy Saskatchewan

MISSION

We work together to improve health and well-being. Every day. For everyone.

VALUES

- **SAFETY:** *Be aware.* Commit to physical, psychological, social, cultural and environmental safety. Every day. For everyone.
- **ACCOUNTABILITY:** *Be responsible.* Own each action and decision. Be transparent and have courage to speak up.
- **RESPECT:** *Be kind.* Honour diversity with dignity and empathy. Value each person as an individual.
- **COLLABORATION:** *Be better together.* Include and acknowledge the contributions of employees, physicians, patients, families and partners.
- **COMPASSION:** *Be caring.* Practice empathy. Listen actively to understand each other's experiences.

PHILOSOPHY OF CARE: Our commitment to a philosophy of Patient and Family Centred Care is at the heart of everything we do and provides the foundation of our values.



Saskatchewan Health Authority (SHA)

As the largest employer in Saskatchewan, SHA is a key stakeholder in workers' compensation legislation and in the administration thereof.

SHA has a particular interest in advancing the health and safety of its employees given the historically high percentage of claims related to work in the health care sector.

SHA is dedicated to safety and to providing safe work environments for its employees.



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Issues identified by SHA

- Serious Injury Claims
- General Concerns
- Volunteers



Serious Injury Claims

Issue	Recommendation
Late notification of claim by worker	That WCB shorten the 90 day period in which a worker is required to report an injury to 14 days. 14 days aligns with SHA's requirements for attendance accommodation management.
Health care provider note of required time off	That WCB undertake (potentially with the support of SHA) a communication and education strategy with the Saskatchewan Medical Association and the College of Physicians and Surgeons of Saskatchewan to underscore the obligations/role of the primary practitioner in the return to work process, the importance of timely completion of forms, and the need to provide details of functional abilities, restrictions and limitations.

Serious Injury Claims (continued)

Issue	Recommendation
Worker claims history	That WCB implement a policy requiring that a Multi Disciplinary Assessment (MDA) occur at the onset of claims by workers with repeat claims. This would provide insight into why workers have multiple claims, which would permit strategies reducing this issue to be explored.
Communication challenges between SHA and WCB regarding claims	Amend the applicable WCB policy to permit sufficient information in the worker's WCB file to be provided to the employer to allow the employer to prepare for appeal processes, prepare for WCB tribunals and look for cost relief.

General Issues

Issue	Recommendation
Timeliness of administrative work for SHA specific claims	That WCB have a dedicated team of trained adjudicators to handle claims of SHA employees. As the largest employer in Saskatchewan, SHA experiences a high volume of claims and has a highly trained team to work with WCB and employees on claims. It would improve efficiency if SHA could deal with a dedicated team of adjudicators who are familiar with the health care environment generally and with the SHA in particular. This would also likely improve communication between SHA, WCB and the employee.



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General Issues (continued)

Issue	Recommendation
E5 form	That WCB eliminate the requirement for the employer to complete the E5 form.
Participation in tribunal hearings	That the Regulations, policies and practices of the WCB be amended to include the employer as a party in hearings before the tribunal, which would entitle the employer to notice of hearings and participation in hearings.
Tribunal members	That WCB consider appointing tribunal members who have medical backgrounds.
SHA role at the front-end of an investigation	That WCB involve SHA at the early stages of an investigation to identify potential misuses of the system.



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General Issues (continued)

Identified areas of communication gap

Issue	Recommendation
Employer's access to worker's full file	That WCB implement a policy or revise its present policy to allow the employer to readily receive information and documentation regarding an injury claim.
SHA timely receipt of information concerning restrictions and limitations The PPI form completed by the health care provider often does not provide objective medical information.	That WCB post the section from the restrictions and limitations on the PPI forms to a shareable, secure site that is accessible to SHA so both parties can access it, within 5 days of receiving it from the health care professional.
	That WCB identify a claims entitlement specialist (which is one of the dedicated SHA specialists we have proposed) prior to 3 weeks after the date of injury.



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General Issues (continued)

Identified areas of communication gap

Issue	Recommendation
Lack of clarity in roles and responsibilities of the employer, worker, WCB and health care professional	Sections 51-57 of <i>The Workers' Compensation Act</i> set out duties of employer, worker, and health care professional. SHA recommends that WCB provide more detail concerning these roles and the requirements of each, either in regulations or policy.
	SHA recommends that the WCB engage in discussion with SHA as to how the shared duties are carried out in order to gather information and ensure safe and timely return to work or stay at work programs are initiated. The use of a tool such as "Responsible, Accountable, Consult, Information" (R.A.C.I.) would assist in creating the clarity of who does what.

General Issues (continued)

Issue	Recommendation
The soft-tissue protocol and timely receipt of required communication from healthcare providers	That WCB improve education to health care providers regarding their communication and documentation obligations, and the importance of that information with respect to return to work plans.
Delayed assessment on mental health claims	That WCB continue to devote resources to improve access to mental health care, including reducing the barriers to trained professionals being qualified to provide WCB services.
Complete and thorough investigation of claim	That the WCB stress the importance of having an appropriate investigation that includes the perspective of the worker <i>and</i> the employer.

General Issues (continued)

Issue	Recommendation
WCB's Disability Duration Guidelines	That WCB revise the <i>Disability Duration Guidelines</i> to permit the employer to trigger a multi-disciplinary assessment when a worker has not returned to work after the maximum time period is reached.



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Volunteer Coverage

Issue	Recommendation
WCB coverage to SHA volunteers who are assisting with emergencies, such as COVID-19	The SHA is recommending that the Workers Compensation legislation/regulations be amended to address this gap in emergency volunteer coverage.



We thank you for the opportunity to provide feedback and are open to discussions regarding how we can more effectively work together.

Questions?



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